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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/912,133	07/24/2001	Chih-Chuan Yen	PHTW000005	4004

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P.O. BOX 3001
BRIARCLIFF MANOR, NY 10510

EXAMINER

PIERRE, MYRIAM

ART UNIT	PAPER NUMBER
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2626

MAIL DATE	DELIVERY MODE
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05/04/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/912,133

Applicant(s)

YEN ET AL.

Examiner

Myriam Pierre

Art Unit

2626

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 March 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 4-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 4-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. This communication is in response to Remarks, filed 03/07/07, in reference to the Non-Final Rejection of 02/07/07.
2. Claims 4-10 are pending. Claims 4 and 8-10 are independent claims.

Response to Arguments

3. Applicant's arguments, see page 1, filed 03/27/07, with respect to claims 4-10 have been fully considered and are persuasive. The rejection of claims 4-10 has been withdrawn, however, in light of an updated search, claims 4-10 are now rejected under Tillgren et al. (6,339,706).

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 4-10 are rejected under 35 U.S.C. 102(e) as being anticipated by Tillgren et al. (6,339,706).

As to claim 4, Tillgren et al.

a speech processor for processing speech commands for controlling said apparatus in accordance with said speech commands (col. 5 lines 61-67);

a microphone (108) arranged on said remote control (102) for enabling a user of said remote control to input said speech commands (Fig. 1; col. 12 lines 7-11 and col. 6 lines 15-21 and col. 8 lines 65-67);

a further microphone (122) for enabling further users of the system to input speech commands (Fig. 1; col. 4 lines 1-3; col. 6 lines 41-49 and Fig. 2 element 220; user has access to further microphone on the mobile phone and enables speech commands via the voice control circuitry inside of the mobile/plain phone);

enabling the user to selectively designate which of said microphone and further microphone is to be used as a signal source (col. 5 lines 23-34; col. 9 lines 40-49; and col. 10 lines 55-60; button 106 breaks the wireless communication link between the headset and the phone, enabling user to select the wireless headset microphone or using the microphone on the plain telephone);

input designation means (106) for enabling the user to selectively designate which of said microphone and further microphone is to be used as a signal source (Fig. 1; col. 10 lines 45-60 and col. 5 lines 23-34).

As to claim 5, which depends on claim 4, Tillgren et al.

wherein said input designation means controls the speech processor to process speech commands from said microphone only (col. 8 lines 24-33 and col. 11 lines 35-44).

As to claim 6, which depends on claim 4, Tillgren et al.

wherein said input designation means controls the speech processor to process speech commands from said further microphone only (col. 10 lines 45-60 and col. 4 lines 1-3).

As to claim 7, which depends on claim 4, Tillgren et al.

wherein said input designation means controls the speech processor from both said microphone and said further microphone, said microphone having priority over said further microphone (col. 5 lines 47-67 and col. 4 lines 56-65; via the master slave Bluetooth system, the master device inherently has priority over the slave device, both devices having a microphone and speech command capability; the input means is the control button 106, which selects if the wireless communication link is going to be established or not, which selects which microphone will be used for speech commands).

As to claim 8, Tillgren et al.

a microphone for enabling a user of said remote control to input speech commands for processing by a speech processor to control said apparatus in accordance with said speech commands (col. 5 lines 24-33 and 60-67).

input designation means for enabling the user to selectively designate said microphone as a signal source to said speech processor (col. 10 lines 54-60 and col. 4 lines 1-3).

As to claim 9, Tillgren et al.

a speech processor for processing speech commands to control said apparatus in accordance with said speech commands (col. 6 lines 13-33)

a further microphone (222) arranged on said apparatus for generating speech commands for said apparatus (Fig. 2; col. 4 lines 1-3; col. 6 lines 41-49 and Fig. 2 element 220; user has access to further microphone on the mobile phone and enables speech commands via the voice control circuitry inside of the mobile/plain phone);

an input designation means for enabling the user to selectively designate which of said microphone and said further microphone is to be used as a signal source to speech processor (col. 10 lines 45-60 and col. 5 lines 23-34);

As to claim 10, Tillgren et al.

transmitting speech commands to the apparatus from a microphone included in a remote control for controlling the apparatus (col. 5 lines 59-67);

transmitting further speech commands to the apparatus from a further microphone included in the apparatus (Fig. 2; col. 4 lines 1-3; col. 6 lines 41-49 and Fig. 2 element 220).

selectively designating which of said speech commands and said further speech command is to be used as a speech input for said apparatus (col. 6 lines 49-65 and col. 5 lines 23-34).

processing the speech input commands in order to control said apparatus in accordance with the speech input commands (col. 6 lines 15-30 and 49-65).

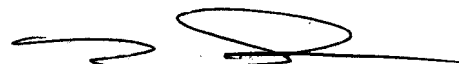
Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure in the attached PTO-892.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Myriam Pierre whose telephone number is 571-272-7611. The examiner can normally be reached on 8:30-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dwayne Bost can be reached on 571-272-7023. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Myriam Pierre
Art Unit 2626
4/24/07



DWAYNE BOST
SUPERVISORY PATENT EXAMINER